

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH AND GAME

Call to Order: Chairman Gregory D. Barkus, on March 5, 2009 at
3:00 P.M., in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Gregory D. Barkus, Chairman (R)
Sen. John Brenden, Vice Chairman (R)
Sen. Debby Barrett (R)
Sen. Trudi Schmidt (D)
Sen. Jim Shockley (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused:

Sen. Joe Balyeat (R)
Sen. Steven Gallus (D)
Sen. Larry Jent (D)

Members Absent: None

Staff Present: Lindsey Hern, Committee Secretary
Hope Stockwell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 62, 2/25/2009; HB 137,
2/25/2009; HB 203, 2/25/2009; HB
222, 2/25/2009

Executive Action: HB 172

HEARING ON HB 62

Opening Statement by Sponsor:

00:01:16 Rep. Robin Hamilton (D), HD 92, opened the hearing on
HB 62, Mandatory trapper safety & education course.

00:02:00 Sen. Balyeat came to the committee.

Proponents' Testimony:

00:02:19 George Golie, Montana Wildlife Federation (MWF)

00:03:00 Chris Smith, Deputy Director, Fish, Wildlife and Parks
(FWP)

EXHIBIT(fis49a01)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:05:09 Sen. Balyeat

00:05:32 Mr. Smith, FWP

00:05:45 Sen. Balyeat

00:05:54 Mr. Smith, FWP

00:06:11 Sen. Balyeat

00:06:28 Mr. Smith, FWP

00:06:34 Rep. Hamilton

00:07:00 Sen. Shockley

00:07:40 Mr. Smith, FWP

00:07:46 Sen. Shockley

00:07:55 Mr. Smith, FWP

00:08:09 Sen. Shockley

00:08:17 Sen. Barrett

00:08:56 Mr. Smith, FWP

00:09:04 Jim Kropp, Chief, Law Enforcement Division, FWP

00:09:30 Sen. Barrett

00:09:50 Mr. Kropp, FWP

00:10:11 Sen. Barrett

00:10:35 Rep. Hamilton

00:10:48 Sen. Barrett

00:10:59 Rep. Hamilton

00:11:12 Sen. Schmidt

00:11:27 Rep. Hamilton

00:11:31 Mr. Smith, FWP
00:13:08 Sen. Schmidt
00:13:12 Mr. Smith, FWP
00:14:52 Sen. Schmidt
00:14:57 Mr. Smith, FWP
00:15:15 Sen. Balyeat
00:16:30 Mr. Smith, FWP
00:17:43 Sen. Balyeat
00:17:48 Mr. Smith, FWP
00:17:49 Sen. Balyeat
00:17:57 Mr. Smith, FWP
00:18:45 Chairman Barkus
00:19:19 Mr. Smith, FWP
00:19:28 Chairman Barkus
00:19:50 Mr. Smith, FWP
00:20:29 Sen. Barrett
00:20:46 Mr. Smith, FWP

Closing by Sponsor:

00:21:17 Rep. Hamilton

HEARING ON HB 203

Opening Statement by Sponsor:

00:21:48 Rep. Mike Miller (R), HD 84, opened the hearing on HB 203, Require landowner notification of animal relocation and release.

Proponents' Testimony:

00:24:35 Nancy Schlepp, Montana Farm Bureau Federation (MFBF)
00:25:15 Aeric Reilly, Montana Wool Growers Association (MWGA)
00:25:55 Mr. Smith, FWP

EXHIBIT(fis49a02)

00:28:31 Ariel Overstreet, Montana CattleWomen Association (MCWA); Montana Stockgrowers Association (MSGa)

Opponents' Testimony:

00:29:11 John Barrows, Executive Director, Montana Newspaper Association (MNA)

EXHIBIT(fis49a03)

Informational Testimony:

None

Questions from Committee Members and Responses:

00:38:02 Sen. Balyeat
00:38:38 Mr. Barrows, MNA
00:39:14 Sen. Balyeat
00:39:46 Sen. Schmidt
00:40:20 Mr. Smith, FWP
00:41:48 Sen. Barrett
00:42:13 Mr. Smith, FWP
00:43:27 Sen. Barrett
00:43:44 Mr. Smith, FWP
00:44:29 Chairman Barkus
00:44:43 Mr. Smith, FWP
00:44:47 Chairman Barkus
00:45:05 Mr. Smith, FWP
00:45:48 Chairman Barkus
00:45:54 Mr. Barrows, MNA

Closing by Sponsor:

00:46:19 Rep. Miller

HEARING ON HB 222

Opening Statement by Sponsor:

00:46:47 Rep. Jill Cohenour (D), HD 78, opened the hearing on
HB 222, Revoke hunting and fishing privileges until
fines paid.

Proponents' Testimony:

00:48:44 Mr. Kropp, FWP
[EXHIBIT\(fis49a04\)](#)

00:51:10 Jean Johnson, Montana Game Wardens Association (MGWA)
00:51:21 Mr. Golie, MWF
00:51:53 Mary Phippen, Montana Magistrates' Association
00:52:37 Ms. Johnson, Montana Outfitter and Guides Association
(MOGA)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:53:24 Sen. Brenden
00:53:38 Mr. Kropp, FWP
00:54:04 Sen. Brenden
00:54:34 Mr. Kropp, FWP
00:55:10 Sen. Shockley
00:55:32 Mr. Kropp, FWP
00:55:45 Sen. Shockley
00:56:10 Mr. Kropp, FWP
00:56:13 Sen. Shockley
00:56:20 Mr. Kropp, FWP
00:57:29 Sen. Shockley
00:57:57 Mr. Kropp, FWP
00:58:15 Sen. Shockley
00:58:54 Mr. Kropp, FWP
00:59:26 Sen. Shockley
00:59:42 Mr. Kropp, FWP
00:59:55 Sen. Shockley
01:00:10 Mr. Kropp, FWP
01:00:11 Sen. Shockley
01:00:20 Sen. Balyeat
01:01:31 Mr. Kropp, FWP
01:02:40 Sen. Balyeat
01:02:49 Mr. Kropp, FWP
01:03:00 Sen. Balyeat
01:03:15 Mr. Kropp, FWP
01:03:31 Chairman Barkus
01:04:02 Mr. Kropp, FWP
01:04:21 Chairman Barkus
01:04:24 Mr. Kropp, FWP
01:04:31 Sen. Balyeat
01:04:52 Mr. Kropp, FWP
01:05:13 Sen. Shockley
01:05:33 Mr. Kropp, FWP
01:05:40 Sen. Barrett
01:05:53 Hope Stockwell, Legislative Service Division (LSD)
01:07:20 Sen. Shockley
01:07:27 Mrs. Stockwell, LSD
01:07:41 Sen. Barrett
01:07:43 Mrs. Stockwell, LSD

Closing by Sponsor:

01:08:03 Rep. Cohenour
01:08:48 Sen. Jent came to the committee.

Additional Discussion:

01:11:26 Sen. Shockley
01:12:03 Chairman Barkus
01:12:11 Sen. Shockley
01:12:46 Sen. Schmidt
01:13:01 Chairman Barkus

HEARING ON HB 137

Opening Statement by Sponsor:

01:13:12 Rep. Walter McNutt (R), HD 37, opened the hearing on HB 137, Revise license benefits for hunter access program.

Proponents' Testimony:

01:16:08 Land Tawney, Chairman, Private Land/Public Wildlife Council

[EXHIBIT\(fis49a05\)](#)

01:18:18 Ms. Johnson, MOGA
01:19:52 Ms. Overstreet, MSGA, MCWA
01:20:34 Mr. Smith, FWP

[EXHIBIT\(fis49a06\)](#)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

01:21:06 Sen. Balyeat
01:21:50 Mr. Smith, FWP
01:22:57 Mr. Tawney, PL/PW Council
01:23:33 Sen. Balyeat
01:23:59 Mr. Tawney, PL/PW Council
01:24:37 Chairman Barkus
01:24:54 Rep. McNutt

Closing by Sponsor:

01:26:08 Rep. McNutt

Additional Discussion:

01:27:25 Chairman Barkus
01:27:41 Sen. Shockley
01:27:46 Mrs. Stockwell, LSD

EXECUTIVE ACTION ON HB 172

01:28:04 Chairman Barkus

01:28:23 **Motion:** Sen. Balyeat moved that **HB 172 BE CONCURRED IN.**

01:28:32 **Motion:** Sen. Shockley moved that **HB 172 BE AMENDED.**
EXHIBIT(fis49a07)

Discussion:

01:29:05 Chairman Barkus
01:29:10 Sen. Shockley
01:29:13 Mrs. Stockwell, LSD
01:29:53 Sen. Shockley
01:30:31 Chairman Barkus
01:31:11 Sen. Shockley
01:31:37 Sen. Balyeat
01:32:16 Sen. Shockley
01:32:41 Sen. Brenden
01:33:18 Sen. Shockley
01:33:25 Sen. Balyeat
01:34:07 Sen. Shockley
01:34:18 Mrs. Stockwell, LSD
01:35:03 Sen. Jent
01:35:15 Chairman Barkus
01:35:25 Sen. Jent
01:36:14 Chairman Barkus
01:36:29 Sen. Balyeat

EXHIBIT(fis49a08)

01:37:12 Mrs. Stockwell, LSD
01:37:59 Sen. Balyeat
01:38:38 Sen. Shockley
01:38:45 Chairman Barkus
01:38:50 Sen. Shockley without objection withdrew his amendment.
01:39:02 Sen. Balyeat
01:39:22 Chairman Barkus
01:39:24 Mrs. Stockwell, LSD, suggested technical changes to accommodate the following motion.

01:39:48 **Motion/Vote:** Sen. Balyeat moved that **HB 172 BE AMENDED**. Segregating amendment Items 1, 2, 3, 4 and 7 (Exhibit 8). Motion carried 8-1 by voice vote with Sen. Barrett voting no. Sen. Gallus voted by proxy.

01:42:08 **Motion:** Sen. Shockley moved that **HB 172 BE CONCURRED IN AS AMENDED**.

Discussion:

01:42:18 Sen. Balyeat
01:42:44 Sen. Shockley
01:42:46 Sen. Barrett
01:43:14 Sen. Balyeat
01:43:44 Chairman Barkus

01:43:50 **Vote:** Motion that **HB 172 BE CONCURRED IN AS AMENDED** carried unanimously by voice vote. Sen. Gallus voted by proxy. Sen. Schmidt will carry the bill in the Senate.

ADJOURNMENT

Adjournment: 5:00 P.M.

Lindsey Hern, Secretary

lh

Additional Documents:

EXHIBIT ([fis49aad.pdf](#))